

PARLIAMENT OF THE REPUBLIC OF UGANDA

**REPORT OF THE COMMITTEE ON FINANCE, PLANNING AND ECONOMIC
DEVELOPMENT ON THE TRAFFIC AND ROAD SAFETY (AMENDMENT) BILL,
2023**

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OFFICE OF THE CLERK TO PARLIAMENT

MAY, 2023

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REPORT OF THE COMMITTEE ON FINANCE, PLANNING AND ECONOMIC DEVELOPMENT ON THE TRAFFIC AND ROAD SAFETY (AMENDMENT) BILL, 2023

1.0 Introduction

The Traffic and Road Safety (Amendment) Bill, 2023 was on Thursday 30th March, 2023, presented for First Reading and referred to the Committee on Finance, Planning and Economic Development for further scrutiny.

Rt. Hon. Speaker and Colleagues, the Committee considered the Bill through consultations with different stakeholders, hence this report.

2.0 Object of the Bill

The object of this Bill is to amend the Traffic and Road Safety Act, Cap 361, to replace reference to "badge" in the Act with professional driving permit"; to provide for a speed limit in the Act to ease the control of the speed limit through the express penalty scheme as opposed to court prosecution as provided for under the Roads Act, 2019; and to repeal section 52 of the Roads Act, 2019.

3.0 Methodology

The Committee held meetings and received memoranda from the following:-

- i) Minister of Finance, Planning and Economic Development.
- ii) The Attorney General.
- iii) The Ministry of Works and Transport
- iv) Private Sector Foundation (PSFU)

4.0 Stakeholders' Views, Observations and Recommendations

4.1 Substitution of the Word "badge" with the word "professional driving permit"

The Bill proposes an amendment of section 70A (2) (ii) of the principal Act by substituting for the word. "badge" the words "professional driving permit".

The Ministry of Works informed the Committee that this provision is to ensure that the law is aligned to ISO standards of issuance of a driving licence. ISO standards provide for professional driving permits of commercial vehicles including drivers of public passenger service vehicles, goods and vehicles and dangerous vehicles.

The Ministry of Works added that Section 36 was amended to provide for new groupings of driving licenses in accordance with ISO standards. However, the

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amendment of Section 45 erroneously retained a driver badge instead of replacing it with the professional driving permit (PrDP) in accordance with the ISO standards. It is therefore necessary to replace the driver base with the PrDP.

While meeting with the PSFU, it was proposed to the Committee that both the badge and Professional Driving Permit be retained as the badge would serve as a certificate of practice and the Professional Drivers Permit as a permit. They further proposed that the badge could be given by a private sector professional body for drivers other than the Ministry doing both.

The Committee observed that this provision implies that the operators of online digital platforms that provide public service transport will be required to have all the drivers registered on their platform to have a professional driving permit instead of a badge. The Committee noted that this provision should apply to all providers of passenger public transport services not just the online platforms.

The Committee therefore proposed that in order to ensure that the law is aligned to ISO standards of issuance of a driving licence, the proposed amendment should be passed. However, drivers should be given six months to comply.

Recommendation

The Committee recommends that the proposed amendment be passed six months after the commencement of the Act, in order to ensure that drivers are accorded six months prior to the implementation of the proposal.

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PROPOSED AMENDMENTS TO THE TRAFFIC AND ROAD SAFETY (AMENDMENT) BILL, 2023

Clause 2: Amendment of Cap 361

Clause 2 is substituted with the following-

2. Amendment of Cap. 361

The Traffic and Road Safety Act, in this Act referred to as the principal Act is amended in section 70A-

(a) by substituting for the word "badge" the words "professional driving permit" in subsection (2)(b),

(b) by inserting immediately after subsection (3) the following-


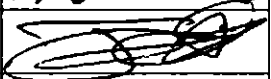
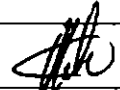
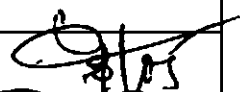
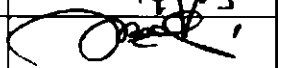
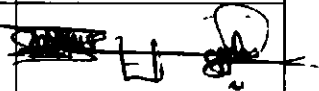
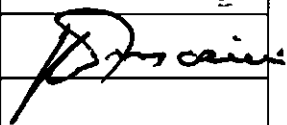

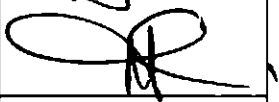
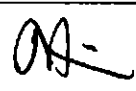
"(4) A driver required to be issued with a professional driving permit under subsection (2)(b) shall apply for a professional driving permit within six months from the date of commencement of this Act"


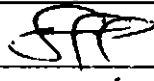
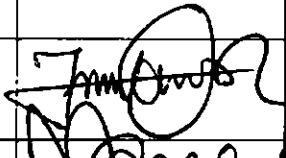
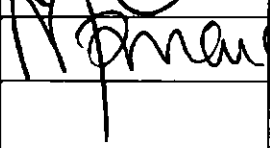
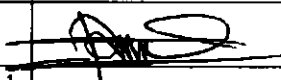

Justification

1. To replace the requirement of drivers to have badges with the requirement to have professional driving permits; and
2. To provide the grace period within which the drivers are to comply.

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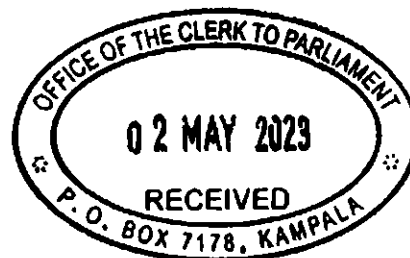
MEMBERS OF THE COMMITTEE FINANCE, PLANNING AND ECONOMIC DEVELOPMENT; THE TRAFFIC AND ROAD SAFETY (AMENDMENT) BILL OF 2023

NO	NAME	CONSTITUENCY	SIGNATURE
1	Dr. Keefa Kiwanuka C/P	Kiboga East County	
2	Hon. Avur Jane Pacuto D/CP	DWR Pakwach	
3	Hon. Wamakuyu Ignatious Mudimi	Elgon County	
4	Hon. Kankunda Amos Kibwika	Rwampara County	
5	Hon. Atima Jackson	Arua Central	
6	Hon. Bataringaya Basil	Kashari North County	
7	Hon. Asimwe K Enosi	Kabula County	
8	Hon. Aleper Moses	Chekwii County	
9	Hon. Ssejoba Isaac	Bukoto County Mid West	
10	Hon. Tayebwa Herbert Musasizi	Kashongi County	
11	Hon. Lematia John	Ayivu West County	
12	Hon. Kyooma Xavier Akampurira	Ibanda County North	
13	Hon. Nakut Faith Loru	DWR Napak	
14	Hon. Nangoli Gerald	Elgon North County	
15	Hon. Katali Loy	DWR Jinja	
16	Hon. Ochai Maximus	West Budama County North	
17	Hon Opolot Patrick Isiagi	Kachumbala County	

18	Hon Wanda Richard	Bungokho Central	
19	Hon. Okwir Samuel	Moroto County	
20	Hon. Nabukeera Hanifa	DWR Mukono	
21	Hon. Muwanga Kivumbi	Butambala County	
22	Hon. Ssenyonyi Joel	Nakawa West	
23	Hon. Nandala Mafabi	Budadiri West County	
24	Hon. Kalule Flavia	Jinja West County	
25	Hon. Akol Anthony	Kilak North	
26	Hon. Luttamaguzu Semakula P.K	Nakaseke South	
27	Hon. Ocan Patrick	Apac Municipality	
28	Hon. Omara Paul	Otuke County	
29	Hon. Muhammad Nsereko	Kampala Central Division	
30	Hon. Aciro Paska Menya	DWR Pader	
31	Hon Masaba Karim	Mbale, Industrial Division	



OFFICE OF THE
LEADER OF THE OPPOSITION



**MINORITY REPORT OF THE TRAFFIC AND ROAD SAFETY
(AMENDMENT) BILL, 2023**

MAY, 2023

INTRODUCTION

On 30th March 2023, the Minister of Finance, Planning and Economic Development laid the Traffic and Road Safety (Amendment) Bill 2023 before Parliament and referred it to the Committee on Finance, Planning and Economic Development for scrutiny.

The object of this Bill is to amend the Traffic and Road Safety Act, Cap. 361 to replace the reference to "badge" in the Act with "professional driving permit"; to provide for a speed limit in the Act to ease the control of speed limit through the express penalty scheme as opposed to court prosecution as provided for under the Roads Act, 2019; and to repeal section 52 of the Roads Act, 2019.

The Committee on Finance, Planning and Economic Development scrutinised the Bill and prepared a report.

Pursuant to Rule 205 of the Rules of Procedure of the Parliament of Uganda, this Minority Report indicates dissenting opinions from the majority of the Committee.

1.0 AREAS OF DISSENT

Dissenting opinions regard;

- a) Double licensing for drivers
- b) Licences for motorcycles / boda bodas

2.0 DISSENTING OBSERVATIONS

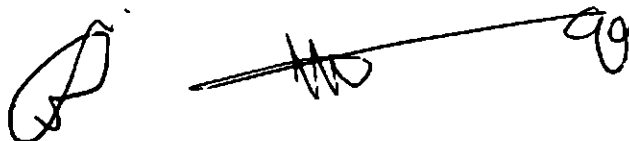
2.1 DOUBLE LICENSING FOR DRIVERS

Our dissenting opinion is that the requirement under Section 70A(1) of the Traffic and Road Safety Act to the effect that a person who wishes to provide an online digital platform for the provision of public service transport to passengers or goods shall apply to the Competent Authority for authorisation to operate the online digital network in a manner prescribed by regulations.

Section 70A (2) (b) requires, among others, that the Competent Authority require that the drivers to be hosted on the digital platform are accredited and issued with badges / Professional Driving Permits.

Section 36 of the Traffic and Road Safety Act provides for new groupings of driving licences in accordance with the ISO Standards, which are Professional Driving Permit (PrDP) issued in accordance with the ISO Standards.

Requiring a driver to acquire another licence under Section 70A before offering public service transport implies that a driver is licenced twice, which is



not only extraneous but also extortionist. We are certain this second licence comes at a cost, yet the Professional Driving Permit is costly coupled with other costs. For instance, a taxi driver obtains a driving licence at a cost of UGX 550,000/- and this is renewed at 210,000/= upon expiry. On top of this, they pay UGX 120,000/= for third-party insurance and UGX 680,000/= for road licence. As per the requirements of Section 70A this same person would be required to pay for another form of licence. We object to this and move that the provision be amended to remove the second accreditation and licence provided under Section 70A (2) (b).

Recommendation

Section 70A (2) (b) of the Traffic and Roads Safety Act be amended to remove the requirement for re-accreditation of holders of Professional Driving Permits and the requirement that they obtain another licence.

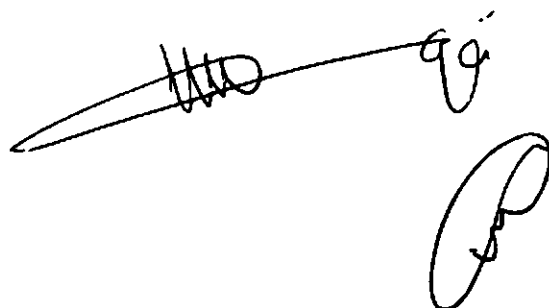
2.2 LICENCES FOR MOTORCYCLES / BODA BODAS

We propose that for one to ride a boda boda on any road in Uganda, one first undergoes mandatory training, accreditation and licencing by the Ministry of Transport. Our proposal is hinged on the fact that all road accident reports issued by the Police indicate that accidents attributed to boda boda riders account for over 70%, most of which are fatal. Most of our riders are not properly trained, and their motorcycles are not road worthy. We believe this measure will clean up the boda boda industry and make it safe for all road users.

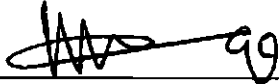
We propose that a licence be issued by the Minister of Transport at a cost of UGX 30,000/=, renewable after 2 (two) years.

Recommendation

Regulate public service motorcycles (bodabodas) by the issuance of licences. It will improve road discipline and reduce road accidents.

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SIGNATURES OF MEMBERS IN SUPPORT OF THE TRAFFIC AND ROAD SAFETY (AMENDMENT) BILL, 2023

NO.	NAME	CONSTITUENCY	SIGNATURE
1.	Mwanga Kumbor M	BUTIMBALA	
2.	NABUKEERA HANIFA	MUKONO DISTRICT	